

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

The 361 Venture, LLC,

Plaintiff

v.

Kearns Technology Inc.,

Defendant

Case No. 2:25-cv-00794-CDS-EJY

**Order Granting Defendant's
Unopposed Motion to Dismiss**

[ECF No. 9]

This is a breach of contract and related claims business dispute brought by plaintiff The 361 Venture, LLC on May 6, 2025, against defendant Kearns Technology, Inc. and unnamed Does and Roes. *See* Compl., ECF No. 1. Kearns now moves to dismiss this action. Mot. to dismiss, ECF No. 9. Any opposition to that motion was due by July 11, 2025. *See* ECF No. 9; *see also* Local Rule 7-2(b) (stating that the deadline to file and serve any points and authorities in response to any motion other than one for summary judgment is fourteen days after service of the motion). That deadline passed without any response, leaving the motion to dismiss unopposed.

Local Rule 7-2(d) provides that "[t]he failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion." I apply this rule and deem plaintiff's failure to respond to the motion to dismiss as consent to granting the motion.

IT IS THEREFORE ORDERED that Kearns Technology's motion to dismiss [ECF No. 9] is **GRANTED**, therefore this case is **dismissed without prejudice**.

The Clerk of Court is kindly directed to close this case.

Dated: July 21, 2025


Cristina D. Silva
United States District Judge